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**MAIL STOP AF  
RESPONSE UNDER 37 C.F.R. 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 3736**

**PATENT  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	Kenneth T. Heruth; Keith A. Miesel	Confirmation No.	8230
Serial No.:	10/825,955		
Filed:	April 15, 2004	Customer No.:	28863
Examiner:	Jeffrey Gerben Hoekstra		
Group Art Unit:	3736		
Docket No.:	1023-362US01		
Title:	COLLECTING ACTIVITY AND SLEEP QUALITY INFORMATION VIA A MEDICAL DEVICE		

**AMENDMENT**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

DO NOT ENTER: /JH/

07/14/2008

Dear Sir:

In response to the Final Office Action mailed May 6, 2008, the period of response for which runs through August 6, 2008, please amend the application as follows.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks** begin on page 8 of this paper.